MINUTES OF THE TELECONFERENCE BOARD MEETING OCTOBER 8, 2009 1631 MIDTOWN PLACE RALEIGH, NORTH CAROLINA

BOARD MEMBERS PRESENT

Richard Allen – Chairman Brenda Bishop Eric Jones Mack Donaldson Judge Burris David Pendry Sally Pleasant James Stevens Steve Johnson Robert Clark

STAFF PRESENT

Terry Wright – Director Anthony Bonapart – Deputy Director Charles McDarris – Attorney Tim Pressley – Training Joyce McClure – Board Secretary

GUESTS

Ruth Reynolds Larry Flannery Audra Coleman

The meeting was called to order at 2:30 PM by Chairman Allen with a roll call of all present. The purpose of the meeting was to discuss the rules regarding late fees for unarmed, armed registration permits and certifications.

Attorney Charles McDarris explained the State Ethics Law which addresses the ethics of public officials. The law states specifically that if any Board Member has any conflict of interest, potential conflict of interest, or the appearance of a conflict, he or she should remove themselves from deliberation and vote on that matter and so state on the record.

Mr. McDarris reviewed the rules that were to be discussed and the two methods for submitting the rules to the Rules Review Committee. They may be submitted on a temporary basis which will allow the rules to become effective around January 2010 or the standard procedure which will allow them to become effective around March 2010.

12NCAC 07D .0702, .0802 and .0903 all allow 90 days to submit a late fee, Judge Burris stated that 30 days should be enough time rather than the 90 days. After discussion of the public safety issue it was determined that the 30 days would be sufficient.

12NCAC 07D .0702 was reviewed which refers to the Fees for Unarmed Security Guard Registration and it was determined that there was no threat to the public safety if they are allowed 30 days after the renewal date and pay a late fee of \$25.00. If the renewal is not done in the thirty day time frame, they will have to start over as a new registration.

MOTION BY MR. JOHNSON TO ALLOW AN UNARMED SECURITY GUARD TO FILE A LATE APPLICATION WITHIN THIRTY DAYS WITH A LATE FEE OF TWENTY FIVE DOLLARS IN ADDITION TO THE REQUIRED REGISTRATION FEE; SECONDED BY MRS. PLEASANT; MOTION CARRIED.

12NCAC 07D .0802 Fees for Armed Security Guard Firearm Registration Permit. This was determined that the extension of time for the renewal and the late fee that would be imposed, would constitute a threat to public safety and should not be allowed.

MOTION BY MR. JOHNSON TO NOT ALLOW ANY EXTENDED TIME FOR RENEWAL OR ANY LATE FEE FOR ARMED REGISTRATIONS; SECONDED BY MRS. PLEASANT; MOTION CARRIED.

12NCAC 07d .0903 Fees for Armed and Unarmed Security Guard Trainer Permits. This was also determined that an extension of time for the renewal and the late fee would constitute a threat to public safety and should not be allowed.

MOTION BY MR. JOHNSON TO NOT ALLOW ANY EXTENSION FOR RENEWAL OR ANY LATE FEE FOR ARMED AND UNARMED TRANIER PERMITS; SECONDED BY MRS. PLEASANT; MOTION CARRIED.

Mr. McDarris asked for a decision on the method of submitting the rules.

MOTION BY MRS. PLEASANT TO PUT THESE THREE RULES THROUGH AS A TEMPORARY AMENDMENT AND FOLLOW WITH A PERMANENT RULE FILING; SECONDED BY JUDGE BURRIS; MOTION CARRIED.

MOTION BY MRS. BISHOP TO ADJOURN; SECONDED BY MR. PENDRY; MOTION CARRIED.

Adjourn: 3:20 PM	
	Terry M. Wright, Director
	Joyce McClure, Board Secretary